

Constitution of the Republic of Singapore (Amendment) Bill

Bill No. 24/2020 [Urgent Bill].

Read the first time on 4 May 2020.

A BILL

intituled

An Act to amend the Constitution of the Republic of Singapore
(1999 Reprint).

Be it enacted by the President with the advice and consent of the
Parliament of Singapore, as follows:

Short title

1. This Act is the Constitution of the Republic of Singapore (Amendment) Act 2020.

New Article 64A

5 2. The Constitution of the Republic of Singapore is amended by inserting, immediately after Article 64, the following Article:

“Continuity of Parliament

64A.—(1) Clause (2) —

10 (a) applies for a period of 6 months after the appointed date, and thereafter for a period of 6 months if —

(i) Parliament resolves that it is or will be impossible, unsafe or inexpedient for Parliament to sit and meet in one place; or

15 (ii) the Speaker presents to Parliament a notice in writing given by a majority of all Members of Parliament stating that it is or will be impossible, unsafe or inexpedient for Parliament to sit and meet in one place; but

20 (b) ceases to apply if Parliament so resolves at any time, but without prejudice to a fresh resolution under paragraph (a)(i) or a fresh notice under paragraph (a)(ii).

(2) When this clause applies —

25 (a) if there is only one place appointed under Article 64(2), at least one other place must be appointed;

30 (b) arrangements (called in this Article continuity arrangements) may be made for Parliament and its committees to sit, meet and despatch business with Members of Parliament being present at 2 or more appointed places and in contemporaneous communication with one another; and

(c) those arrangements may be —

(i) prescribed by Standing Orders or resolution of Parliament; or

(ii) subject to anything prescribed under sub-paragraph (i), decided by the Speaker. 5

(3) A Member of Parliament who takes part in the proceedings of Parliament or its committees under continuity arrangements is taken to be present at those proceedings for all purposes under this Part, including for the purposes of Articles 46(2)(d), 56 and 57(1). 10

(4) Subject to any law enacted after the appointed date, the privileges, immunities and powers of Parliament and its committees as at the appointed date apply, with any necessary modification, to or in relation to —

(a) the proceedings of Parliament or its committees under continuity arrangements; 15

(b) any appointed place from which a Member of Parliament takes part in the proceedings of Parliament or its committees; and

(c) a person appearing before or attending Parliament or its committees at any appointed place. 20

(5) In this Article —

“appointed date” means the date on which the Constitution of the Republic of Singapore (Amendment) Act 2020 is published in the *Gazette*; 25

“appointed place” means a place appointed by the President under Article 64(2).”

EXPLANATORY STATEMENT

This Bill seeks to amend the Constitution of the Republic of Singapore (1999 Reprint) to insert a new Article 64A to create a framework for Parliament to meet under continuity arrangements.

Parliament will be able to sit, meet and despatch business under continuity arrangements for 6 months after the new Article 64A comes into operation. Parliament will also be able to do so in the future if Members of Parliament (MPs) resolve or give notice that it is or will be impossible, unsafe or inexpedient for Parliament to sit and meet in one place. A resolution or notice for this purpose will have effect for 6 months at a time. Parliament may resolve at any time that continuity arrangements are no longer necessary.

For continuity purposes, 2 or more places are to be appointed under Article 64(2). Arrangements will then be made for Parliament to sit, meet and despatch business with the MPs being present at 2 or more appointed places, instead of meeting at one place. These arrangements are to be prescribed by Standing Orders or resolution of Parliament, or decided by the Speaker (subject to anything prescribed by Standing Orders or resolution of Parliament). These arrangements may include dividing MPs between the places appointed under Article 64(2), and prescribing the means of communication between those places.

MPs taking part in proceedings of Parliament under continuity arrangements are taken to be present for attendance, quorum, voting and other purposes.

The existing privileges, immunities and powers of Parliament will be extended to cover continuity arrangements, with any necessary modification. For instance, the freedom of speech, debate and proceedings under section 5 of the Parliament (Privileges, Immunities and Powers) Act (Cap. 217) will extend to proceedings under continuity arrangements. The Speaker's power under section 27(1) of that Act to order the arrest of a person who creates a disturbance in the precincts of Parliament when Parliament is sitting will extend to ordering the arrest of a person who creates a disturbance at any other place appointed under Article 64(2).

The Legislature will also be able to legislate to specifically provide for the privileges, immunities and powers of Parliament in relation to continuity arrangements.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
